REMARKS

Applicant thanks Examiner Hannett and Supervisory Patent Examiner Garber for their time and courtesy during the personal interview on July 18, 2003.

Claims 1, 3-6, 8, and 9 are pending in this application. Independent claims 1 and 6 have been amended to incorporate the subject matter, respectively, of claims 2 and 7, which have been cancelled. Reconsideration of the present application as amended is respectfully requested.

Drawings

The formal drawings filed with the present application have been approved. The Examiner is courteously requested to provide a Notice of Draftsperson's Patent Drawing Review (Form PTO-948) with the next official communication to confirm approval of the formal drawings by the Official Draftsperson.

Information Disclosure Statement

The Examiner has acknowledged receipt of the Information Disclosure Statement filed November 8, 1999, and has returned an initialed copy of the Form PTO-1449. No further action is required at this time.

Objection to Title

As agreed during the interview, the amended title is descriptive. of the present invention.

Rejections under 35 U.S.C. §102(e)/§103(a)

As agreed during the interview, claims 1, 3-6, 8, and 9 are not anticipated under 35 U.S.C. §102(e) by U.S. Patent Application Publication No. 2001/0048465 to Toyofuku et al.

In addition, it is respectfully submitted that the subject matter of claims 2 and 7 is patentably distinct under 35 U.S.C. §103(a) over Toyofuku et al.

M.P.E.P. §2143.03 states that to establish a *prima facie* case of obviousness, all claim limitations must be taught or suggested by the cited art.

As noted, independent claims 1 and 6 have been amended to incorporate the subject matter of claims 2 and 7, which have been cancelled.

Amended independent claim 1 recites an image processing apparatus having a combination of elements, including a display which displays that a selected image is prohibited from being erased independently if a determination device determines that the selected image relates to at least one of a plurality of images stored in a memory, and a

decision device which decides whether to collectively erase the selected image and the at least one of the plurality of images relating to the selected image from the memory, wherein an eraser erases the selected image and the at least one of the plurality of images relating to the selected image from the memory if the decision device decides to collectively erase the selected image and the at least one of the plurality of images relating to the selected image.

Similarly, amended independent claim 6 recites a method for erasing an image from a memory having a combination of steps, including if it is determined that a selected image relates to at least one of a plurality of images stored in a memory in a determining step, displaying that the selected image is prohibited from being erased independently, deciding whether to collectively erase the selected image and the at least one of the plurality of the images relating to the selected image from the memory, and erasing the selected image and the at least one of the plurality of images relating to the selected image from the memory if it is decided to collectively erase the selected image and the at least one of the plurality of images relating to the selected image from the memory in the deciding step.

As admitted in the Office Action, Toyofuku et al. does not teach that a decision device decides whether to collectively erase a selected image and that the plurality of images relates to the selected image. As also conceded in the Office Action, Toyofuku et al. does not teach that an eraser erases the selected image and the plurality of images relating to the selected image from the memory if the decision device decides to collectively erase the selected image from the memory.

The above-noted features are recited in amended independent claims 1 and 6 but nowhere in Toyofuku et al. Rather, Toyofuku et al. discloses a device and method which includes a warning when a frame constituting a panoramic image is selected to be erased. A protect code added to the image corresponds to the warning to inhibit erasure. At paragraph [0149], Toyofuku et al. describes adding the protect code to individual images included in a panorama.

Since Toyofuku et al. does not teach or suggest the above-noted features of amended independent claims 1 and 6, it is respectfully submitted that the obviousness rejection of the claims are improper and should be withdrawn.

In view of the foregoing, it is respectfully submitted that Toyofuku et al. fails to render obvious the presently claimed invention, and withdrawal of the §103 rejection based thereon is

respectfully requested. Independent claims 1 and 6 are allowable. Since the remaining claims depend directly or indirectly from allowable independent claims 1 and 6, they are also allowable for at least the reasons set forth above, as well as for the additional limitations provided by these claims. Accordingly, all claims should be allowable.
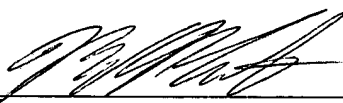
CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

Should any issues remain, however, the Examiner is invited to telephone Daniel K. Dorsey (Reg. No. 32,520) at (703) 205-8000 in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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